

Notice of Allowability

Application No.

10/736,450

Applicant(s)

HUGHES, RODNEY A.

Examiner

Tuan T. Lam

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the terminal disclaimer filed 12/27/04 and the telephonic interview on 1/12/05.
2. ☒ The allowed claim(s) is/are 24-43.
3. ☒ The drawings filed on 12/15/2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>1/12/05.</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


TUAN T. LAM
PRIMARY EXAMINER

Terminal Disclaimer

1. The terminal disclaimer filed on 12/27/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of USP 6,664,829 has been reviewed and is accepted. The terminal disclaimer has been recorded.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney David M. Doyle (Reg. No. 43,596) on 1/12/2005.

The following changes have been made to the subject application:

Claim 24:

Lines 2-3, "the first charging current controlled based on a first control signal" has been deleted;

Line 5, "the first discharging current controlled based on a second control signal" has been deleted;

Lines 8-9, "the second charging current and the second discharging current controlled based on the first and second control signals" has been deleted.

Claim 26:

Line 3, "the" has been changed to --a--;

Line 5, "the" has been changed to --a--.

Art Unit: 2816

Claim 30:

Lines 5-6, “, the first charging current controlled based on a first control signal” has been deleted;

Line 8, “, the first discharging current controlled based on a second control signal” has been deleted;

Lines 11-12, “, the second charging current and the second discharging current controlled based on the first and second control signals” has been deleted.

Claim 32:

Line 4, “the” has been changed to --a--;

Line 6, “the” has been changed to --a--.

Claim 36:

Line 1, “30” has been changed to --32--.

The Examiner’s amendment has been made in order to comply with the 35USC 112, second paragraph and to place the application in a condition for allowance.

Allowable Subject Matter

3. The following is an examiner’s statement of reasons for allowance: the amendment filed 12/27/2004 and the terminal disclaimer has overcome the technical deficiencies and the prior art of record. The prior art of record fails to teach or fairly suggest a circuit capable of detecting a voltage difference between a voltage on the loop filter and a voltage on the integrator capacitor, the circuit further capable of controlling the first and third current sources to at least partially reduce the voltage difference as called for in claims 24, 30 and 38. Therefore, claims 24-43 are presently allowed.

Art Unit: 2816

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T. Lam whose telephone number is 571-272-1744. The examiner can normally be reached on Monday to Friday (7:30 am to 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY P CALLAHAN can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tuan T. Lam
Primary Examiner
Art Unit 2816

1/12/2005